



Docket No. 56245 (71699)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Albert C. LARDO and Robert C. SUSIL  
SERIAL NO.: 09/904,182 Group Art Unit: 2859  
FILED: July 11, 2001 Examiner: David M. Shay  
FOR: APPLICATION OF PHOTOCHEMOTHERAPY FOR THE  
TREATMENT OF CARDIAC ARRHYTHMIAS

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 18, 2004.

By: Judy Daley  
Judy Daley

AMENDMENT TRANSMITTAL  
EXAMINING GROUP 3739  
RESPONSE TO FINAL OFFICE ACTION  
UNDER 37 C.F.R. S116 EXPEDITED PROCEDURE

1. Transmitted herewith is an amendment for this application.

**STATUS**

2. Applicant is  
☒ a small entity. A statement:  
[ ] is attached.  
[ ] was already filed.  
[ ] other than a small entity.



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**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. Section 1.136 apply. *(complete (a) or (b), as applicable)*

- (a) ☒ Applicant petitions for an extension of time under 37 C.F.R. Section 1.136  
(fees: 37 C.F.R. Section 1.17(a)(1)-(4)) for the total number of months checked below:

	Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/>	one month	\$ 110.00	\$ 55.00
<input checked="" type="checkbox"/>	two months	\$ 420.00	\$ 210.00
<input type="checkbox"/>	three months	\$ 950.00	\$ 465.00

Fee: \$ \$210.00

If an additional extension of time is required, please consider this a petition therefor.  
*(check and complete the next item, if applicable)*

- ☐ An extension for \_\_\_ months has already been secured. The fee paid therefor of \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.  
Extension fee due with this request \$ \_\_\_\_\_

OR

- (b) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.



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4. The fee for claims (37 C.F.R. Section 1.16(b)-(d)) has been calculated as shown below

(Col.1)	(Col. 2)	SMALL ENTITY				OTHER THAN A SMALL ENTITY	
Claims Remaining After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Addit. Fee	O R	Rate	Addit. Fee
			\$9.00	\$		\$18.00	
Independent Claims Remaining After Amendment	Independent Claims Remaining After Amendment		\$42.00	\$		\$84.00	\$
First Presentation of Multiple Dependent Claim+			\$140.00	\$		\$280.00	\$
						Total Addit. Fee	

- \* If the entry in Col. 1 is less than the entry in Col. 2, write "O" in Col. 3,  
\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".  
\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".  
The "Highest No. Previously Paid For" (Total or Indep.) is the highest number found in the appropriate box in Col. 1 of a prior amendment or the number of claims originally filed.

WARNING: "After final rejection or action (Section 1.113) amendments may be made canceling claims or complying with any requirement of form which has been made." 37 C.F.R. Section 1.116(a) (emphasis added).

(complete (c) or (d), as applicable)

- (c) ☒ No additional fee for claims is required.  
OR  
(d) ☐ Total additional fee for claims required \$

#### FEE PAYMENT

5. ☒ Attached is a check in the sum of \$ \$210.00 for the extension fee.  
☐ Charge Account No. 04-1105 the sum of        for claims fee.



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**FEE DEFICIENCY**

6. ☒ If any additional extension and/or fee is required, charge Account No. 04-1105.

AND/OR

- ☒ If any additional fee for claims is required, charge Account No. 04-1105.

SIGNATURE OF PRACTITIONER

**William J. Daley, Jr.**

**Reg. No. 35,487**

**EDWARDS & ANGELL, LLP**

**P.O. Box 55874**

**Tel. No. (617) 439-4444**

**Boston, Massachusetts 02205**

May 18, 2004

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANTS    A.C. Lardo, et al.                      EXAMINER:       Shay, D. M.  
U.S.S.N.:        09/904,182                              GROUP:            3739  
FILED:           July 11, 2001                              Conf. No.        1162  
FOR:             APPLICATION OF PHOTOCHEMOTHERAPY FOR THE TREATMENT OF  
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By:   
Judy Daley

**EXAMINING GROUP 3739  
RESPONSE TO FINAL OFFICE ACTION  
UNDER 37 C.F.R. §116 EXPEDITED PROCEDURE**

Sir:

The following is in response to the Final Office Action mailed December 18, 2003, in the above referenced application.

A petition has also been filed herewith requesting a two (2) month extension of time to May 18, 2004, to respond to the above referenced Office Action. Applicant also conditionally petition for a further extension time to provide for the possibility that such a petition is required.

05/21/2004 AWONDAF1 00000105 09904182

02 FC:2252

210.00 0P

Applicant: A.C. Lardo, et al.  
U.S.S.N. : 09/904,182  
RESPONSE TO FINAL OFFICE ACTION  
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As indicated below, please charge Deposit Account No. **04-1105** for the required fee.

Please amend the above-identified application as follows:

**Amendments to the Claims** begin on page 3 of this paper.

**Remarks** begin on page 11 of this paper.